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Lincoln and the Present International Situation

**"Can aliens make treaties easier
than friends can make laws?"**
-from Lincoln's First Inaugural Address.

LINCOLN AND THE PRESENT INTERNATIONAL SITUATION

*A contribution to the thought
on world peace.*

by

BENJAMIN A. JAVITS

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FOREWORD

In reading Lincoln's First Inaugural Address, one is struck by his prophetic vision, and by the timeliness of the principles which he has laid down. These principles seem to suggest a solution for civilization's great problem—the maintenance of international peace. About the time that Lincoln delivered this address South Carolina put forward the issue of state sovereignty. Bound up with that issue was the issue of war between the states. Today, the issue is again state sovereignty, but it is presented not by one state, but by the United States. Bound up with this action is the issue of war between the nations.

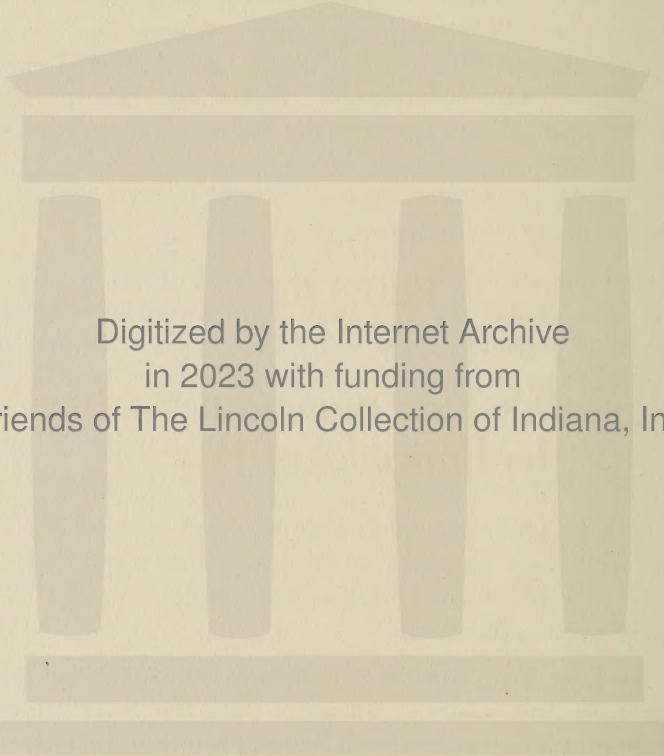
Had the principles enunciated by Lincoln in this address been peacefully followed, there would have been no Civil War. Should these same principles be adopted by the world states today, war between nations would be a closed chapter forever. Lincoln pointed out the way that we must and should go. The present situation is in all essential points analogous to that which confronted him.

In Part One, are quoted those parts of Lincoln's address which are germane to the present international situation. My comment follows each quotation showing its present day application.

In Part Two, are the conclusions which I have drawn from Lincoln's address, showing how the issue of state sovereignty hitherto has been solved; how similarly it may be solved now; and how there must follow as a natural result—*international peace*.

BENJAMIN A. JAVITS.

New York City, N. Y.
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Part One

*Lincoln's First Inaugural Address
Its Principles of Peace*

PART ONE

No greater document has ever been penned in the interests of peace, than Abraham Lincoln's First Inaugural Address which was delivered at Washington on the fourth day of March, 1861:

"FELLOW-CITIZENS OF THE UNITED STATES:
In compliance with a custom as old as the government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President "before he enters on the execution of his office."

. . . Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations, and had never recanted them. And, more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

RESOLVED, that the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

Politically speaking, the League of Nations is at present in a position similar to that of the United States

at the time Lincoln delivered this address. At that time, some of our states below the Mason and Dixon Line believed in state sovereignty; today, by our rejection of the League, we, too, believe in that doctrine.

In 1860, the states were less dependent upon each other economically, than the different nations are today, for example, rubber unites us with the Asiatic continent; diamonds connect us with the African continent; platinum joins us to the European continent; while our exports link us with all the continents. We are a nation of the world in the same sense in which the oil regions, the mining sections, and the wheat fields are inseparable parts of our own country. How vitally we are affected by foreign problems was recently shown when the United States Chamber of Commerce, with an insistence that was almost a demand, requested of President Coolidge, that we step in, whether officially or unofficially, and straighten out European affairs.

Social and political relations are dictated almost exclusively by the economic interdependence of peoples, hence, the reason so many nations entered into a league becomes obvious. Lincoln continues:

“ . . . Perpetuity is implied, if not expressed, in the fundamental law of all national governments.

. . . Again, if the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak; but does it not require all to lawfully rescind it?

Descending from these general principles,

we find the proposition that in legal contemplation, the Union is perpetual—confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution was ‘to form a more perfect Union.’ ”

Nearly all of the nations which were opposed to Germany, have matured and continued “the Union”, that is, the League of Nations. They have found, as was seen in the period from 1774 to 1787, that “the Union” cannot proceed to function, unless “the faith of all” the nations is “expressly plighted and engaged”, and unless “a more perfect union” is formed.

“But if the destruction of the Union by one or by a part only of the States be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views, that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void; and that acts of violence, within any State or States, against the authority of the United States, are insurrectionary or revolutionary, according to circumstances.”

Recently, words similar to these were uttered by the voice of civilization to Mussolini, to Russia, and to Mexico. Our voice was clearly heard among the rest. No longer are lingual or racial differences bars to a unity of international thought or of international action. No longer can any nation forget, even momentarily, that it is a state of the world. The World War and its aftermath have proven all of this.

“. . . That there are persons in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm nor deny; but if there be such I need address no word to them. To those, however, who really love the Union, may I not speak?

Before entering upon so grave a matter as the destruction of our national fabric, with all its benefits, its memories, and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step while there is any possibility that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to are greater than all the real ones you fly from—will you risk the commission of so fearful a mistake?”

By maintaining our political isolation, may we not be flying from an international *amity* into an international *calamity*? Should we fail to enter into a union with the states of the world we might commit “a fearful mistake”—we might help to destroy them. Since most of us hope for the *brotherhood of man*, should we not enter into such a union, and thus take a decisive step toward the attainment of that enviable goal?

“ . . . All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guarantees and prohibitions, in the Constitution that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate, nor any document of reasonable length contain express provisions for all possible questions.

. . . From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the government must cease. There is no other alternative; for continuing the government is acquiescence on one side or the other.”

The states of the world, today, by the great weight of actual fact, are a single economic unit. History shows us that whenever there has been a unity of economic interests, as, among the Thirteen States, the states in the “Boot” of Europe, and the Germanic States, political union and harmony have resulted. At present, a majority of the states of the world have formed a political union, but the United States as a powerful minority has refused to join. Such a situation cannot continue indefinitely or peacefully.

“ . . . Plainly, the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Who-

ever rejects it does, of necessity, fly to anarchy or to despotism. Unanimity is impossible; the rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form, is all that is left."

The foregoing words, so pregnant with meaning, indicate that were Lincoln living today, he would favor a union of nations. Following his thought, we are obliged to conclude that were the political interests of a majority of the nations opposed to the interests of a minority, the minority must acquiesce, especially since both the majority and the minority are united economically. The United States is a minority; it is supported by, and it must in turn support, the rest of civilization. "Secession is the essence of anarchy."

What power is to stop the other nations from feeling toward the United States as Lincoln felt toward the South? Lincoln felt that the Northern and the Southern States had common interests; that they had to continue, or that they had to fall together; that there was only one Union; and that rather than submit to a division of that Union he would fight to save its life. As Lincoln thought, so the nations of the world will think. They will fight to preserve their existence! And to that end, may it not come to pass that they will say to us, "You are a part of us! You must and shall assist and save us, as well as save and nurture yourself!" *Such words mean war!* This is the crux of the whole matter.

In 1860, the South had cotton, the North had machinery. Economically, one part of the country could not live without the other. In 1923, the cooperation of the United States is demanded by the rest of the world. Without such cooperation the world cannot continue in peace, but

must plunge into "despotism or anarchy"—it is a divided house. Lincoln's memorable words ring with truth: "A house divided against itself cannot stand."

Let us test Lincoln's statement by the light of the experience of our day. Germany was a despotic and imperialistic minority. She refused to cooperate with the rest of the world. The majority of the world states, thereupon, forced her to submit. Had Germany been the victor, no one can doubt but that there would have been "anarchy or despotism in some form."

". . . Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced and go out of the presence and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory after separation than before? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when, after much loss on both sides, and no gain on either, you cease fighting, the identical old questions as to terms of intercourse are again upon you."

Ships, railroads, the telegraph, the radio, the aeroplane, and motion pictures have welded all nations together. Unfortunately, diplomats and statemen in control of most governments are blind to the fact that the world is now a one. They are still playing, by questionable

rules, the game of diplomacy—the petty grafting of a piece of land here, and of a concession there—to satisfy one or another commercial group or mercantile syndicate. Strangely enough, some of these groups, even though supposed to be distinctively American, or English, or French, or German, have American, English, French, and German capital in them at one and the same time.

“This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it.

. . . the Federal Government shall never interfere with the domestic institutions of the States . . . holding such a provision to now be implied constitutional law, I have no objection to its being made express and irrevocable.

. . . Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? In our present differences, is either party without faith of being in the right? If the Almighty Ruler of Nations, with his eternal truth and justice, be on your side of the North, or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal of the American people?”

The Emancipator never missed an opportunity to express his faith in the common people. Put the problem of peace into the hands of the people, would, undoubtedly, be his words were he alive today.

“ . . . My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it.

. . . I am loath to close. We are not enemies but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.”

Part Two



Conclusion and Plan

PART TWO

No stronger argument for a political union of nations has yet been made than the one that Lincoln gave expression to, when in his plea for sustaining the Union in the course of his First Inaugural Address, above set forth, he said:

“Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face, and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory after separation than before? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when after much loss on both sides and no gain on either, you cease fighting, the identical old questions as to terms of intercourse are again upon you.”

Prophetic words!

Look at Germany! Look at the Allies! “The identical old questions as to terms of intercourse are again upon you.” Man’s scientific, economic, and industrial

relations freely stretch across national boundaries. Progress now forces him to internationalize his political and social relations. *Physically speaking, we cannot separate.* This is as true of the nations today, as it was of the states when uttered by Lincoln.

The college professor, who a short time ago stated that the human race must die by its own hand, unless it mix the development of individualism with associationalism, was undoubtedly right. Salvation lies in that mixture. The same principle must be worked out with respect to the union of the nations of the world. And that principle, as a problem, was worked out when thirteen governments, each retaining its sovereignty, formed a super-government, through the adoption of a constitution. About that time, Thomas Jefferson wrote:

“With respect to everything eternal, we should be one nation only, formally hooked together. Internal government is what each State should keep to itself.”

In 1824, he wrote:

“The State and Federal Governments are co-ordinate departments of one single integral whole. To the State governments are reserved all legislation and administration in affairs which concern their citizens only; and to the Federal Government is given whatever concerns foreigners, these functions alone being Federal. The one is the domestic, and the other the foreign branch of the same government; neither having control over the other, within its own department . . . The capital and leading object of the Constitution was to leave with the States all authorities which respected their own

citizens only, and to transfer to the United States those which respected citizens of foreign States.”
(*Note Jefferson's use of the word “foreigners”.*)

This theory, applied to the world, must guarantee peace everywhere, as well as the independence of nations. It is the one sound solution of the present international differences.

In the Constitution we find an express provision by virtue of which the rights of the states to complete sovereignty within their bounds is confirmed and guaranteed. It is the Tenth Amendment:

“The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively and to the people.”

Our courts have held, time and again, that the Federal and State Governments are independent of each other, each having distinct and separate jurisdictions. In one of its decisions, the Supreme Court of the United States said:

“A State does not owe its origin to the government of the United States in the highest, or in any of its branches. It was in existence before it. Every State in the Union, in every instance where its sovereignty has not been delegated to the United States, I consider to be completely sovereign, as the United States are in respect to the powers surrendered. Each State is a sovereign as to all powers reserved.”

The founders of our government intended that it should, for all time, be a true federal system, a federation, a union of free and independent states; each pos-

sessed of distinct and self-governing powers as to its own people and its own affairs. Webster called it: "An indestructible Union of indestructible States." The states of the world should unite on the same basis. Should they so unite, they would surrender no "national honor", no national sovereignty; indeed, they would surrender nothing except inevitable ruin.

My plan, therefore, calls for an international constitution, patterned on the Constitution of the United States. Such a constitution should create and maintain an international government, wherein each nation would have complete sovereignty within its own borders, no less than it has today, and wherein the relation between nation and nation would be controlled by, and become the concern of, the international government only, thereby assuring to the world permanent peace.

The United States is a union of nations. It is, therefore, fitting that this Union, through its President, by and with the advice and consent of its Senate, should call upon the nations of the world to come together in order to found the Greater Union. By reason of our leadership, a call from us for an international constitutional convention, for the purpose of framing an international constitution, would be like the sound of Gabriel's horn—the millenium will then have come for suffering millions.

The members of this suggested constitutional convention should consist of representatives elected in the different nations of the world by the people. Each nation should have one representative for every five million people, or fraction thereof. For approximately one and one-half billion people—the population of the

civilized world—a gathering of about three hundred representatives would be the result. This body could be continued as the lower branch of an international congress.

In the proposed constitutional convention, which should be based upon the idea that each country is ready to surrender its international sovereignty to the international government, an article similar to Article Ten in the Covenant of the League, could not arise to worry and discomfort the world. However, if any similar proposition should present itself, then each nation having five or more delegates, should have its delegation taken as a whole when voting; and if a majority of such delegation should not be in favor of any article, that article should be changed until it does meet with the approval of such a majority.

The corpus of a government created by the international constitution should consist of three main divisions: legislative, executive, and administrative. It should employ every modern political device to keep the rule well within the hands of the people. An international constitution creating a legislative body which would make laws having the authority and power of all nations behind them, is a condition devoutly to be wished for.

The legislative body should consist of two branches: one corresponding to the House of Representatives, and the other to that of the Senate, so that any fear of the preponderance of any one nation would be overcome, since each nation would be entitled to the same number of senators.

The constitution should establish an international court of appeals at The Hague, and an international

lower court in each country to decide international questions which arise locally, following the system of the Federal courts in this country.

The international government should establish an international reserve system modelled on the idea of our Federal Reserve System, so that the credit of the stronger nations could be made to assist that of the weaker, thereby saving all nations from eventual financial ruin, and giving to the whole world economic stability. In a way, this suggestion has already been tried internationally in the case of Austria.

There should be established an international army or police force. Each nation could have also an army corresponding to our state militia.

To those who may think this plan visionary, may I not recall the telling words of John Quincy Adams? He said:

“The constitution was extorted from the grinding necessity of a reluctant nation.”

History records the keen rivalries and the bitter jealousies which existed among the original Thirteen States before the adoption of the Constitution. The states of the world are now relatively in the same position, hence, the solution of their international problems should be on lines similar to those adopted by the Colonies. At this point an observation made by another famous American, Chief Justice Marshall, is especially pertinent:

“No political dreamer was ever wild enough to think of breaking down the lines which separate the States, and of compounding the American people into a common mass.”

When Marshall made this statement, the differences

existing between the various states must have appeared as irreconcilable as the differences between the nations appear to us today. Surely, the solution adopted by the Colonies offers every encouragement to those who hope for a world union.

The American people should not be slow in realizing that the salvation of the world can come only through their acceptance of the best and highest principles of Americanism, if that word means the guarantee of life, of liberty, and of the pursuit of happiness for all. We have repeatedly professed our faith in the people of Germany, in the people of Russia, in the people of Mexico, in the people everywhere. The deliverance of the civilized world from the curse of war depends upon the common people. Only when we put our faith in them, will the world be made "safe for democracy". The words of Lincoln on this point, bear repetition with all the solemnity which man can muster:

"Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?"

The present League of Nations reminds one of the Articles of Confederation entered into by the Colonies just before the birth of the United States. It was a series of "covenants"; it was not a constitution. Not until an international constitution, or its equivalent, is drawn up, will the world be brought to the threshold of the realization of the ideals of humankind. The human mind can but ill conceive of the immense strides which humanity will make thereafter. It may take many years for such an international constitutional government to function smoothly, but we should pledge ourselves to its ultimate success with the same oft-tried, fervent faith which we

have maintained for one hundred and thirty-six years in the constitutional principle of government.

I take the liberty of digressing to speak to the bankers and business men of the nations of the world. An international government is bound to settle the development of capitalism along peaceful lines. It seems that many of those, who in the days of 1917 shouted patriotism, frankly and honestly admit now that the Great War was brought on because of the desire of the different national capitalists for the control of foreign markets. If an international government be framed, "foreign" markets will be developed by capital, and not by the capitalists of a nation who hold their own nation's guarantee with which to breed wars. Therefore, conflicts between nations for acquiring commercial advantages, which are the bases of modern wars, will cease, and with such an event must come peace. The industrial development of the world, particularly the development of backward peoples and countries, will then go forward as rapidly as the development of the territories went forward after the Civil War. Permanent peace will yield larger dividends than war ever did, and with less risk.

Civilized man must abandon the primitive notion that a flag or insignia of national unity is greater than the godly principle of international unity. By that token the flag of New York State would be greater than that of the United States. The United States, it should be remembered, is only a part of the world, albeit a large part, but it is by no means greater than the rest of the world. Prior to August, 1914, the rulers of Germany thought that she was more than a part of the world, and civilization was threatened with destruction. Shall mankind be in ashes because of man's failure to recognize in time the axiom that the whole is greater than a part?

Blind patriotism, which is often a synonym for savagery, is the refuge of most scoundrels. Patriotism, unmixed with tolerance, makes men mad. It was because our forefathers were as tolerant as they were patriotic that they were able to unite thirteen governments. In their outlook, the peoples of today must be tolerant. They must regard each other in the way that citizens of different cities, states, or sections of the same country regard each other, that is, as part of a whole. They must envisage the world; the vision of their mind's eye must not be distorted by prejudices bred of nationalism. They must see beyond the confines of their respective nations. Lincoln indicates, and the facts which men face today prove, that there is an unwritten law which makes all peoples one in weal and one in woe.

Civilized human beings, know that they are brothers. Grouped in nations, they pray and hope for their linking together.

Shall we not unite them?

Shall we not be a greater nation and a greater people if we do, and withal shall we surrender anything but our love and our affection to fellow beings? Is there any greater destiny for a nation? Is there any higher resolve for a people? *Is there any better or equal hope in the world?*



